

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re REFCO INC. SECURITIES LITIGATION

07 MDL No. 1902 (GEL)

MARC S. KIRSCHNER,  
as Trustee of the Refco Litigation Trust,

Plaintiff,

Case No. 07 Civ. 11604 (GEL)

V.

**NOTICE OF DEFENDANT  
MAYER BROWN LLP'S  
MOTION TO DISMISS**

GRANT THORNTON LLP; MAYER  
BROWN, ROWE & MAW, LLP; ERNST &  
YOUNG U.S. LLP;  
PRICEWATERHOUSECOOPERS LLP;  
CREDIT SUISSE SECURITIES (USA) LLC  
(f/k/a CREDIT SUISSE FIRST BOSTON  
LLC); BANC OF AMERICA SECURITIES  
LLC; DEUTSCHE BANK SECURITIES  
INC.; PHILLIP R. BENNETT; SANTO C.  
MAGGIO; ROBERT C. TROSTEN; TONE N.  
GRANT; REFCO GROUP HOLDINGS, INC.;  
LIBERTY CORNER CAPITAL  
STRATEGIES, LLC; WILLIAM T. PIGOTT;  
EMF FINANCIAL PRODUCTS, LLC; EMF  
CORE FUND, LTD.; DELTA FLYER FUND,  
LLC; ERIC M. FLANAGAN; INGRAM  
MICRO, INC.; CIM VENTURES, INC.;  
BECKENHAM TRADING CO. INC.;  
ANDREW KRIEGER; COAST ASSET  
MANAGEMENT, LLC (f/k/a COAST ASSET  
MANAGEMENT LP); CS LAND  
MANAGEMENT, LLC; and CHRISTOPHER  
PETITT,

**Defendants.**

PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum of Law and

Declaration of Thomas G. Ward and exhibits annexed thereto, both dated May 21, 2008,

Defendant Mayer Brown LLP moves this Court before the Honorable Gerard E. Lynch, United States District Judge, United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, for an Order pursuant to Federal Rule of Civil Procedure 12(b)(6) dismissing this action.

Dated: Washington, D.C.  
May 21, 2008

Respectfully submitted,

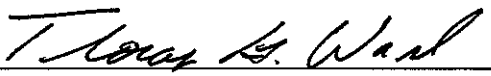


John K. Villa (admitted *pro hac vice*)  
Michael S. Sundermeyer (admitted *pro hac vice*)  
Craig D. Singer (admitted *pro hac vice*)  
Thomas G. Ward (TW-6255)  
WILLIAMS & CONNOLLY LLP  
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(202) 434-5000  
(202) 434-5029 (fax)

*Attorneys for Defendant Mayer Brown LLP*

**CERTIFICATE OF SERVICE**

I, Thomas G. Ward, hereby certify that on this 21st day of May, 2008, I caused true and correct copies of the Notice of Defendant Mayer Brown LLP's Motion to Dismiss, the Memorandum of Law in Support of Defendant Mayer Brown LLP's Motion to Dismiss, and the Declaration of Thomas G. Ward in Support of Defendant Mayer Brown LLP's Motion to Dismiss and exhibits annexed thereto to be filed electronically. Notice of these filings will be electronically mailed to all parties registered with the Court's electronic filing system.

  
Thomas G. Ward (TW-6255)